

hold up the commission until Gov. Hughes is ready to resign his State office.

No delay in confirmation in the Senate is expected. The nomination will be probably reported by the Committee on the Judiciary next Monday and promptly confirmed. This action will leave the Governor free to accept his commission at his own pleasure.

Leaders of the House said today that there is no likelihood that the salary of an Associate Justice of the Supreme Court will be raised in the present session from \$12,500 to \$15,000. An increase has been proposed in the House for a good many years but Gov. Hughes's friends have doubt if in making his decision he placed any reliance on the probability of an advance.

MANY CONGRATULATE HUGHES.
Vice-President Sherman and Governors of States Send Telegrams.

ALBANY, April 26. Telegrams of congratulation have been pouring in upon Gov. Hughes all day. In answer to requests Secretary Robert H. Fuller tonight gave the following from the big pile of messages for publication.

From Vice-President Sherman:
I congratulate the State upon your choice as its seventh contribution to the Supreme Court. I congratulate the President upon the selection and the people of the country upon your acceptance. I congratulate you upon the honor which will be yours in the selection of the Supreme Court. I congratulate you and every fair minded American on your preference.

Gov. Marshall of Indiana:
I have no doubt you will bring to the discharge of your judicial duties that keen perception of truth and justice so necessary to the preservation of the rights of the people. I congratulate you and every fair minded American on your preference.

Gov. Warner of Michigan:
Michigan people pleased at your appointment as Justice of the Supreme Court. Accept sincere and hearty congratulations.

Gov. Fort of New Jersey:
The people, the bench and the bar of the republic are to be congratulated upon your appointment to the Supreme Court of the nation.

Gov. Draper of Massachusetts:
An delighted that you have accepted appointment to the Supreme bench. I am very sorry to lose you even temporarily from active political service, but the people still have your services in a most important field.

Gov. Glasscock of West Virginia:
Congratulations. I think your appointment to Supreme Court the best that could have been made.

Many other telegrams have been received from all over the country. Among those from New Yorkers are the following:

Congratulations to you and to the United States upon your appointment and acceptance of Judgeship.
JOHN A. DIX.

I rejoice in your appointment to Supreme Court. By accepting I think you are doing the country a great service. I regret that it must be again so great a cost to yourself. Sorry to lose you from active politics. Still, best wishes.
SETH LOW.

Cordial congratulations to your appointment to Supreme Court. You will be a great asset to your friends that President Taft has made best possible nomination.
J. G. SCHERMAN.

Thank you for accepting. It is a great sacrifice, politically and financially, for you and your family, for which the whole country is profoundly grateful and proud to thank Mrs. Hughes as well as yourself.
ROBERT W. DE FOREST.

COUNCILMAN ONLY A DUMMY.
Coffey Admits Pittsburgh Colleagues Did as They Pleased With His Votes.

PITTSBURGH, April 26. Maurice S. Coffey, former Councilman, on trial for participating in the graft, told the Court today that he was like "a fly in a can of butter-milk down at Council."

Coffey confessed that he was wholly ignorant of proceedings in Council. He said he earned \$10 a day as a tender on the Seventeenth street line and he only attended Council when he could get off, which was one night in two weeks. He said:

"Why, those fellows would make me vote any way they wanted me to, and when they voted they would mark me down as having voted that way anyhow. He was asked why he had voted to vacate South Seventh street. He replied: "I was asked to go up and said that by giving the Byers Company the street I would give employment to 300 or 400 men."

Asked why he voted for the bank ordinance, he said:

"All banks look alike to me. I thought Mayor Guthrie favored the banks. There was a clause in them that ran 'things which they needed' and they took mine. If you will look through the records you will find I contradicted a vote or two, but it did no good."

Coffey said he did not know whether he was a member of any committee and he did not know that Mayor Guthrie had voted the South Seventh street and the bank ordinance. He is charged with having received \$150 for his vote on the bank ordinance and \$10 for his vote on the South Seventh street ordinance from Capt. Klein.

Armed guards watched about the court room and streets all day to ward off fly buzzers.

TRADE IN GERMANY BETTER.
Business Conditions Improved, Says Dr. Ettlinger, Glove Leather Maker.

Dr. Friedrich Ettlinger, a glove leather manufacturer of Durlach, near Karlsruhe, Germany, who arrived yesterday at the Belmont from Europe, says that business generally in Germany is picking up.

"Just before I left the other side I spent some time in Berlin looking into general conditions," said Dr. Ettlinger yesterday at the Belmont. "I found that the great election works in Berlin are as busy now as they have ever been and the same is true of electrical works all over Germany. In the chemical industry business is very good."

"In the chief industries of the country, coal and iron, business is not yet in the shape that it was three years ago, though there is continual improvement. Trade in the shops has greatly improved, and what I regard as a most hopeful sign over there is the condition of the banks, which have had one of the best years ever."

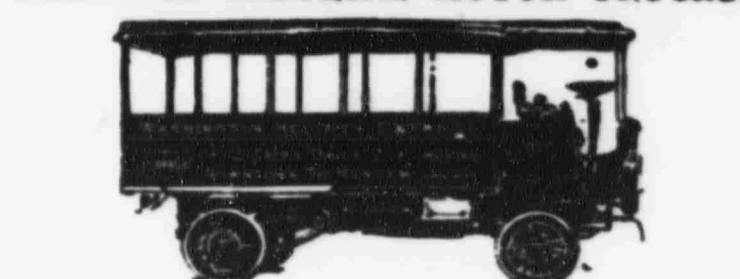
"Trade with the United States is increasing all the time. I should say roughly, judging from the consular reports, that last year it was 30 per cent greater than in the year before. Business has not experienced any change since the new American tariff went into effect. In fact the duty on glove leather is the same under the new tariff as the old."

FLYING SEASON BEGINS MONDAY
Aerobautical Society to Open Its Lincoln Aerodrome on That Date.

If plans of the Aerobautical Society do not miscarry the flying machine season will open next Monday at Mineola. When its new aerodrome will be finished and ready for the use of the members. Eight or ten inventors are eager to try out their mechanical birds.

Miss E. L. Ladd is the first to reserve a stall in the new aero house and will have her machine shipped out for the opening day. The aerodrome is 150 by 40 feet and is the largest in this country. One acre of ground has been leased, with the privilege of flying over the entire Hempstead Plains.

RELIANCE GASOLINE MOTOR TRUCKS



RELIANCE Trucks Are Not an Experiment. They are as advanced in type as the highest grade of pleasure cars.

RELIANCE Trucks are in constant service all over this Continent. Their efficiency, reliability and economy are proven every day in the year.

There is no guesswork as to their cost in operation—out of operation they cost nothing. Write now for particulars.

RAINIER MOTOR TRUCK CO., Broadway, at 64th St., New York
Garage and Maintenance Station, 12th Ave. & 51st St.

LOOKING FOR A GOVERNOR

REPUBLICANS TALK OF SCHURMAN AND DAVID J. HILL.

Nobody knows. Though when T. Roosevelt has in mind Democrats have Mayor Gaynor on their list and Hearst is said to be for William Sulzer.

Chairman Timothy L. Woodruff of the Republican State committee still had nothing to say yesterday about Gov. Hughes's coming transfer to the Supreme bench. It was learned that Mr. Woodruff has made a new arrangement with himself, dating from immediately after his conference with Senator Root in New York city a couple of months ago. Mr. Woodruff then decided to keep out of the public prints as much as possible, to take a rest in himself, that is to quit talking on every occasion and on all incidents connected with the Republican party of the State. William Barnes Jr., William L. Ward, Republican national committeeman for the State, and other friends of Mr. Woodruff are reported to be delighted at his decision.

With Gov. Hughes retiring either on October 1 or October 10 next from the arena of Republican State politics new problems, it was admitted yesterday, confront the Republican organization men. It was an open secret for some time that it was their intention to renominate him by acclamation in the next State convention.

With Gov. Hughes entirely eliminated the names of two possible candidates for Governor were discussed yesterday, those of President Schurman of Cornell University and David Jayne Hill, Ambassador to Germany. The State convention, as announced hitherto by William Barnes Jr., is to be held at Saratoga, and this statement means that whatever primary bill is used at Albany the convention system is to be retained. The State committee of the two parties, Republican and Democratic, may be increased to 150 members each, but the new primary law, it is stated, will call for direct nominations at primaries in the case only of Assemblymen, Senators and Representatives in Congress.

Many of the State politicians are asking if his friends at Albany and throughout the State will carry on the propaganda for him. It is expected, though, that the representatives of the present Republican State organization at these primaries.

The Woodruff people, the Barnes people, the Hearst people, the friends of Francis Hendricks and in fact all of the present Republican leaders in the different counties insist that the State organization as controlled by them is intact at this present moment. It is expected, though, that Theodore Roosevelt will have an important part after his return in arranging a programme for the State convention, which under the primary law must be held early in September. Gov. Hughes will not then be entirely out of the situation, and President Taft's friends and those of his opponents will join hands in the effort to stem what they call the tide of the Democratic party.

It is a condition of the situation, all Republicans said yesterday. While several of them have been in communication with the ex-President they haven't the faintest notion of what he will do on his return and they say that nothing whatever can be done until Mr. Roosevelt's suggestions are received. Many in the present Republican State organization have criticised Mr. Roosevelt for commencing them in 1906 and 1908 to nominate Gov. Hughes, and are still bitter about it.

The Democrats are actively discussing the future of the State. It is admitted that James S. Hays of Rochester, who defeated George W. Aldridge for Congress last week, will have delegates in the next Democratic State convention supporting him for Governor.

Democrats who seemed to think they knew what was going on said that Mr. Hearst will run an independent candidate for Governor and that his name is William Sulzer. "Mr. Hearst believes," said one of his friends, "that Mayor Gaynor will be the Democratic candidate in any event. Mr. Hearst is out to do down Charles F. Murphy's leadership of the Democratic party of the State."

The Republicans admitted that they were taking heart of hope because of Mr. Hearst, who however has not in any way enunciated his programme. Representative Sulzer was a candidate for the nomination for Governor in 1906 at Buffalo. He was beaten by John Boyd Thacher, then Mayor of Albany, who promptly resigned the nomination because of his opposition to Sulzer's 16 to 1 platform that year. The nomination then went to Wilbur F. Porter of Watervliet. In the Buffalo convention of that year Representative Sulzer was a delegate from New York city. Tammany, knowing Mr. Sulzer's ambition, adopted the unit rule, and John C. Sheehan, then deputy leader of Tammany, cast the 105 votes of the organization, including Sulzer's own vote, against Sulzer and in favor of Mayor Thacher. For a month Democrats up the State have been working to bring about the nomination of Mr. Sulzer, especially Democrats not favorable to the domination of Mr. Murphy.

Who Shall Look After the Immigrants?
ALBANY, April 26. Senator Henry W. Hill, chairman of the Senate Finance Committee, told State Commissioner of Labor John Williams today that the Federal Government ought to do something for the immigrant that it was not up to the State of New York to assume the whole responsibility for looking after the incoming foreigners. Commissioner Williams appeared before the committee to urge favorable action on the bill to create a department of industry and immigration at Albany. The bill carries an appropriation of \$50,000.

Nabbed While Getting a License to Wed.
Vincenzo Costello, 22 years old, who keeps a saloon at 221 Union avenue, Williamsburg, and Antonietta Norosa, 19 years old, of 300 North Eighth street disappeared together on Friday last. Mrs. Ida Notora, mother of the girl, told Capt. Dooley of the Bedford avenue precinct that her daughter had been off for her money when she left. Yesterday the couple appeared at the Borough Hall to get a marriage license and were nabbed. Costello is locked up on a charge of abduction and the girl on a grand larceny charge.

SALOON KEEPER WINS.

Three Separate Police Complaints Set Aside by Magistrate.

William Fuhr, a saloon keeper at 784 Grand street, Williamsburg, was reported three times for alleged violation of the liquor tax law by three different policemen of the Stagg street police station a week ago last Sunday. Each complaint alleged that Fuhr had failed to leave an unobstructed view of his bar. When the cases reached the Manhattan avenue police court on warrants Fuhr declared that if he got the opportunity he would refute the evidence of the policemen. The cases were adjourned until yesterday.

When Magistrate Dooley called each separately the three policemen, Schmid Kasper and O'Malley, testified that the bars were not properly exposed.

Fuhr brought forward three witnesses. The first was ex-Fire Commissioner John Ennis of Brooklyn, who has a large shoe factory near Fuhr's saloon. He testified that for a period of five years Fuhr was reported three times by the police he had occasion to pass the saloon several times on his way to the factory, and being curious to know in view of the excitement how saloon keepers in general were adhering to the law, he made it his business to peep into many saloons, among them Fuhr's, and he found the latter's bar properly exposed. At the meeting of the saloon keepers in general Fuhr's two other witnesses corroborated Ennis, and the Magistrate without any comment dismissed the three cases.

INCOME FOR THE CATHEDRAL.
\$55,000 a Year to Carry on Services on Morningside Heights.

Fifty-five thousand dollars a year is now assured for the maintenance of public worship in the Cathedral of St. John the Divine after the choir and cross-section shall have been opened. At the meeting of the cathedral trustees yesterday afternoon Bishop Greer reported the securing of pledges amounting to \$27,000 for a period of five years. This is in addition to an endowment income, which amounts to about as much more a year. An idea was entertained some time ago that \$100,000 additional endowment might be raised, but that plan was given up.

Two new chapels are now certain. One of the already decided upon and reported, will be in memory of Bishop Potter, but it was said yesterday that it would be unlike those already built in that it will run east and west instead of north and south. It is the gift of the second Mrs. Potter, whose children carry out a wish she did not live long enough to do.

On the corresponding side on the north a chapel will be erected in memory of the late Dr. Huntington of Grace Church. Some money has already been secured for this chapel, but the completion of the present amount is withheld. The cost of the chapel already built has been about \$100,000, save the Belmont, which was the first one to be erected and cost considerably more.

FAVORS SUNDAY BASEBALL.
Assembly Votes to Let Amateur Play Wednesday Their Champions.

ALBANY, April 26. After one of the warmest debates held in the Legislature this session the Assembly by a vote of 77 to 67 today passed Assemblyman McGrath's bill amending the penal law to permit Sunday amateur baseball between the hours of 3:30 and 6 P. M. outside of 200 feet of a church and without exacting an admission fee.

Speaker Wadsworth made a forceful argument in favor of the bill. Assemblyman Perkins (Rep., Broome) first attacked the bill and declared it was a flagrant attempt to commercialize and secularize the Sabbath. He read letters from Catholic, Episcopal, and other clergymen of all denominations urging the Legislature to vote down the proposition.

He insisted the phrase prohibiting "the exacting of an admission fee" was crudely drawn to permit eventually gate receipts. Bishop Fulton of Buffalo wrote that as the guardian of an orthodox he protested against the passage of the bill.

Speaker Wadsworth insisted that it was far better to permit young men to play Sunday baseball than to loaf and drink beer all day. He said in the long run he thought the young man who played Sunday baseball was nine times out of ten the best Christian and the most useful and most helpful citizen.

TELEGRAPHERS DAY'S HOURS.
Northrup Law Declared Constitutional After Loss Its Fight.

ALBANY, April 26. The Court of Appeals today declared constitutional the Northrup law, passed two years ago, limiting hours of employment of railroad telegraphers and certain other employees having to do with the movement of trains at night hours and in the four hour period. The opinion is in the case of the People vs. the Erie Railroad Company and the opinion of the court is by Judge Hiss.

The case involved an alleged conflict between a State and a Federal statute.

CHARTER BILL REPORTED.
Goes to the Assembly Without Change Despite Democratic Protest.

ALBANY, April 26. The Assembly Cities Committee reported favorably to-night the Hammond Legislative Commission's New York charter bill in complete form. The three Democratic members of the committee objected to the manner in which the various chapters of the Charter were taken effect. Many provisions of importance do not become effective until 1913. The main features of the Charter become operative on January 1, 1911.

TROLLEY BANDIT KILLED.
Negroes Painted White Captured After Fourth Holdup in New Orleans.

NEW ORLEANS, April 26. On Sunday night a Peters avenue car was held up by highwaymen in the upper part of the city and the conductor and passengers were compelled to give up their money, that being the third street car hold up in three weeks.

The highwaymen tried it again early this morning and got considerable booty, but the police pursued them closely. One highwayman, Alfred Smith, alias Henry Williams, was mortally shot and died at the Charity Hospital after a full confession. The other, Ollie Smith, was captured.

The men were negroes, but had painted their faces to look like white men.

Baks & Company

Fluctuation in demand upon the output of most makers of men's clothes is one of the greatest drawbacks to their maintenance of a fixed standard.

Busy to-day—to-morrow idle. No matter how large or how small their organization, it seems impossible for most manufacturers to adjust their creative force to their needs.

Even the layman can reason it out: The manufacturer is no clairvoyant; unable to look ahead, he cannot gauge his orders and maintain his factory staff in accordance.

This condition is a constant bar to the retailer who would sell good clothes, but can only buy what the maker offers.

Our own organization of designers and craftsmen is maintained upon a scale adjusted precisely to the needs of this (a retail) business, thus keeping throughout the year a perfected corps whose work is unvarying in its standard and whose interest never flags.

Suits for Men, at \$15 to \$43

Beginning This Morning
An Extraordinary Sale of
\$4.00 Shoes & Oxfords for Men, at 2.85

Every pair made for this season—and in every way perfect

THE MODELS: Two eyelet Ties, Blucher, Button or regular Lace Oxford.
THE LEATHERS: Tan Russia Calf, tan or black Vici Kid, Gun Metal or Patent.
EVERY SIZE AND WIDTH.

SINGS THE PRAISE OF HUGHES

HOTCHKISS CHAMPIONS HIM TO REPUBLICAN WOMEN.

At Their Annual Luncheon He Says That the Party Ought to Be Pleased That the Governor Has Been Rewarded.

Several of the women orators at the annual luncheon of the Women's Republican Association of New York State, which was held yesterday afternoon in the roof garden of the Hotel Astor, were so imbued with the spirit of the recent convention in Washington that their speeches savored of D. A. R. politics rather than of the G. O. P. Just as soon as William H. Hotchkiss of the Insurance Department got the floor, however, and began to talk about Gov. Hughes they proved their loyalty by giving him a round of enthusiastic applause every time he paused for breath.

Mr. Hotchkiss seemed to think that strenuous mourning on the part of New Yorkers over the approaching loss of their Chief Executive would really imply a lack of proper appreciation for all he had done for his party and his State. This role should rather be one of chastened joy and modest pride in the hall marking of their own opinions by the President.

"Gov. Hughes has earned this retirement," he said. "I have been very close to him during the last few years and I know what he has gone through more than once as he stood fighting with his back to the wall. I know what he has suffered very often, even in the hour of victory. He is one of the greatest lawyers of his time and the very darling of our citizenship. One thing about him that will never be forgotten is that he has stood for something new in politics. He has insisted that men that serve the State shall serve the State and not hold down jobs."

"Through him it may even come to pass some time that the annual dough bag for each district captain will be abolished. Jobs will be had because they are earned and not because of personal relations with leaders and bosses. He is beginning to succeed in his endeavor to impress the Legislature with the idea that it is up to them to give every bill a fair hearing and to pass those that are right and kill those that are wrong."

In that regard a man who tries to do his duty to secure promotion receives a demerit mark. I have had for a month eighteen offices at my disposal and not a single man in the department has said a word about any one of them. We are going to hold a little convention next month and they will be allotted at that time. The men in the department would follow the lead of the State. This has nothing to do with me, mind. It is all part of the Hughes idea."

"These days have been called days of revolution and they are days of revolution, thank God! These are the days when parties that are not in step with these new ideas may have to face disruption. Citizens should agree a three bills designed to permit oral betting while prohibiting bookmaking and Assemblyman Perkins's bill, which makes the officers of a racetrack responsible if gambling is permitted."

Racetrack Bills Progressing.
ALBANY, April 26.—With the proviso that they would be discussed on the order of final passage the Senate advanced today to a third reading without discussion Senator Agnew's three bills designed to permit oral betting while prohibiting bookmaking and Assemblyman Perkins's bill, which makes the officers of a racetrack responsible if gambling is permitted.

Bill for Letchworth Village Signed.
ALBANY, April 26.—Gov. Hughes signed today the bill of Assemblyman Merritt appropriating \$175,000 for the beginning of construction of Letchworth Village, the new State institution at Thurston, the care of epileptics and idiots, \$55,000 of the appropriation to be available immediately and the remainder on October 1 next.

Looses Suit Over Skirts.
Court of Appeals Uproots Henrietta Lee's Verdict of \$8,022.

ALBANY, April 26.—The Court of Appeals rendered a decision to-day reversing a jury's verdict of \$8,022 upheld by the Appellate Division, First Department, in the action of Henrietta Lee, an actress, against Hurtig and Seamon, and ordered a new trial. Miss Lee is in the theatrical business with her husband, Charles P. Morrison. She alleged that Hurtig violated his contract with her by demanding that she discard her skirts and appear in a military sketch.

Judge Werner wrote the prevailing opinion in the case. Judge Edward T. Barlett in a dissenting opinion held that the judgment should be affirmed.

"It is quite apparent," wrote Judge Barlett, "that the sketch submitted to Miss Lee was intended to bring about a breach of contract. Hurtig had already learned from Miss Lee that she was unwilling to appear in public even when the skirt came only to the knees and he had assented to a modified costume where the skirt comes to the back tops. Without any further negotiations he sent her a sketch which she described as an insult: a sketch that was without a skirt—practically a costume entirely in lights, and one which she as a modest woman was unwilling to wear in public performances."

"Hurtig was well aware that she would not accept the costume and would surely consider the sending of it to her as an insult."

THEY SAY THEY'RE HONEST.
Rochester Officials See Hughes About Election Fraud Charges.

ALBANY, April 26.—District Attorney Widener and Assistant District Attorney Bechtold of Monroe county appeared before Gov. Hughes to-day to make public answer to the charges against the administration of the District Attorney's office made before the Governor yesterday by former Deputy Attorney-General George P. Decker and Nelson E. Spencer, representing the Rochester branch of the Association to Prevent Corrupt Practices at Election. It was asked that the Governor should appoint a special Deputy Attorney-General to take charge of the prosecution of violations of the election law which occurred last Tuesday on the occasion of the special Congressional election.

District Attorney Widener and his assistant declared to the Governor that they resented insinuations against their conduct of the affairs of their office, and in reply to the charges of past neglect in election cases presented a mass of court records and Grand Jury minutes of all the cases which had been cited against them. They also made oral pleas for a chance to prove their honesty in the present situation.

Mr. Bechtold declared that the whole thing was a dodge formulated to help Mr. Decker in a campaign to be made this fall as the Democratic nominee for District Attorney. Gov. Hughes promised to give the matter careful consideration.

NO WALL STREET INQUIRY.
Toombs Bill for Stock Exchange Investigation Is Killed in Committee.

ALBANY, April 26. The Assembly to-day decisively put out of business Assemblyman Toombs's proposition to have a legislative investigation of the New York and other stock exchanges by refusing to discharge the Ways and Means Committee from further consideration of Mr. Toombs's resolution for that purpose. The motion to discharge the committee was defeated by a vote of 16 for to 93 against.

Majority Leader Merritt insisted that the Ways and Means Committee had given Mr. Toombs ample opportunity to produce reasons why the committee should take favorable action on the resolution, and as long as the committee had refused to do so far to report the measure he did not believe the committee's action should be overridden. Mr. Merritt said if there was a public sentiment in support of any such investigation it could have been made apparent at the hearings given on the resolution. There was no such sentiment expressed, insisted Mr. Merritt, and there was no desire on the part of the committee to report the resolution favorably.

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